IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.25713 of 2005
MANOJ KUMAR SINGH
Versus
THE STATE OF BIHAR & ORS.

22/ 21.08.2008 Heard learned counsel for the both the parties.

This application has been filed for cancellation of bail so granted to the opposite party nos.2 and 3 vide order dated 13.05.2005 and 30.05.2005 passed by the learned Additional Sessions Judge, Bagaha, West Champaran in B.P. No.33(B) of 2005 and B.P. No. 92 of 2005,respectively.

Submission of the learned counsel for the petitioner is that after grant of bail more overt acts have been committed by the opposite parties. Therefore, the bail so granted to the opposite parties should be cancelled otherwise the case would not proceed.

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Considered the submission of the learned counsel for the petitioner and also perused the impugned orders.

On perusal of the impugned order, it appears that the court below has rightly granted bail to both the opposite parties.

Under the facts and circumstances of the case, I am not inclined to cancel the bail of the opposite party nos.2 and 3. Accordingly, this application is hereby rejected.

However, the petitioner may bring to the notice of the

learned court below regarding the subsequent development or overt acts if any and pray for cancellation of bail. In that event, the learned court below shall examine the matter and pass order in accordance with law without being prejudiced by this order of rejection.

harish/ **(Ghanshyam Prasad, J.)**

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